

## REMARKS

Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks. In this reply, claims 16-44 are added. Therefore, claims 1, 3-7 and 16-44 are pending. Claims 1, 16 and 30 are independent.

In numbered paragraph 4 on pages 2-5 of the Office Action, claims 1, 3 and 5-7 stand rejected as allegedly being unpatentable over Holt, III (U.S. Patent No. 6,324,565) in view of Lambert et al. (U.S. Patent No. 6,038,601). Applicants respectfully traverse.

Applicants have disclosed systems and methods of improving content consistency between a proxy server and a content server in a data access network system. As illustrated in the figures of the present disclosure, exemplary embodiments are directed a data access network system which includes one or more content servers coupled to one or more proxy servers via an interconnect network. The content server stores at least one content file. The data access network includes a system of maintaining content consistency between the content server and the proxy servers. The system includes a subscription manager in the content server that specifies all of the proxy servers that are subscribed to the content file. The system also includes a consistency manager that notifies all of the subscribed proxy servers that cache the content file to discard the cached content file from those proxy servers when the content file is updated in the content server.

The foregoing features are broadly encompassed by the independent claims. As an example, independent claim 1 broadly recites "a subscription manager in the content server for specifying all of the proxy servers that are subscribed to a content

file stored in the content server, wherein the subscription manager generates a subscription list that specifies all of the subscribed proxy servers that cached a content file when the subscription manager is notified by each of the proxy servers that it has cached the content file" and "a consistency manager also in the content server for notifying all of so subscribed proxy servers that cache the content file when the content file is updated in the content server to discard the cached content file from those proxy servers."

In the "Decision On Appeal" from the U.S. Patent Office Board of Patent Appeals rendered on September 22, 2006, the Board made it clear that Holt would not have taught or suggested the combination of the features as recited in claim 1 including the feature of "wherein the subscription manager generates a subscription list that specifies all of the subscribed proxy servers that cache the content file when the subscription manager is notified by each of the proxy servers that it has cached the content file."

Contrary to the Examiner's allegation, Lambert cannot be relied upon to correct this or other deficiencies of Holt. The Examiner alleges that Lambert discloses a system having cache server 304 that is a proxy server that subscribes to content, and a subscription manager having a list that specifies the proxy server. There would have been no motivation or suggestion that would have led one of ordinary skill to the combination of Holt and Lambert documents in the manner suggested by the Examiner. Moreover, even if one were to consider *arguendo*, that these documents could have been combined in the manner suggested by the Examiner, such combination would not have resulted in the presently claimed invention.

The Examiner refers to Figures 2 and 3 and column 5, lines 27-60 of the Lambert patent as allegedly disclosing a subscription manager. Figure 3 illustrates a system which includes a subscription manager 306, a web browser on client 100, a caching server 204 and a cache 300. The subscription manager 306, the web browser on client 100, and the caching server interact to display content via the web browser on the client 100. Content for display may be cached in the cache 300 or retrieved from the Internet. The subscription manager 306 is specifically stated to reside on "the subscriber's client machine." See *column 5, lines 51-54*. This directly contradicts, i.e., teaches away from, Applicants' claim 1 which recites, among other features, that the subscription manager is "in the content server." If a cited document teaches away from the claimed invention, then there would have been no motivation to combine the documents by definition, and the rejection must fail. See *MPEP 2141.02*.

Lambert also teaches away from the presently claimed invention in other respects. The Examiner cites column 27, lines 55-67 and column 28, lines 1-9 of the Lambert patent as allegedly disclosing the subscription manager that has a list that specifies a proxy server. This portion describes "return-receipt" verification mechanism for a publisher to confirm that each subscriber received a notification. In this context, the subscription described is a subscription of users to a publisher providing a backend publishing service. Thus, the subscription is related to a service and not to any particular content as recited in Applicant's claim.

Lambert specifically states "there are also caching issues with some classes of return-receipt subscriptions. See *column 28, lines 10-11*. Lambert goes on to state "the HTTP operation must also be marked by the requesting subscriber as 'no-

cache', i.e., do not serve a cached copy. Finally, in order to keep the caching server from cashing many copies of the data in one embodiment, HTTP 1.1 cache control operations can be used by the publisher to prevent content being cached."

*Emphasis added.* See column 28, lines 19-25. This again directly contradicts the combination relied upon by the Examiner to Applicant's claim 1.

Thus, independent claim 1 is allowable. Claims 3 and 5-7, which depend from claim 1 and which recite additional advantageous features, are also allowable.

In numbered paragraph 5 on page 6 of the Office Action, claim 4 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Holt in view of Lambert, and in further view of Aggarwal et al. (U.S. Patent No. 6,012,126). Applicants respectfully traverse.

Claim 4 depends from independent claim 1 and recites additional advantageous features. Aggarwal does not overcome the above-noted deficiencies of the Holt and Lambert patents. Accordingly, claim 1 and dependent claim 4 are allowable over Holt, Lambert and Aggarwal.

In this reply, claims 16-44 are added. The features of the new claims are supported in, for example, Figures 2 and 3 and in pages 11-23 of Applicant's disclosure as originally submitted. No new matter is presented. Applicants respectfully submit that the new claims are allowable.

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the application is in condition for allowance and a Notice of Allowance is respectfully solicited.

Respectfully submitted,

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